IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY SIXTH DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE B.PRAKASH RAO

WRIT PETITION NO : 11955 of 2004

Between:

Perpetual Energy Systems Limited, 3-5-821, Flat No. 104, Doshi Square, Hyderguda,
Hyderabad - 500 029 represented by its Director, Sri K. Ramakoteswara Rao, S/o. Peraiah, aged 47 years
resident at Himayatnagar, Hyderabad - 500 029.

..... PETITIONER

AND

1 Transmission Corporation of Andhra Pradesh Ltd. Vidyut Soudha, Hyderabad, represented by its Chairman &
Managing Director.
2 Andhra Pradesh Electricity Regulatory Commission, Singareni Bhavan, Red Hills, Hyderabad,
represented by its Chairman

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate Writ, Order or Direction, more particularly one in the nature of a mandamus of declaration : a) declaring the action of the second respondent in initiating proceedings and issuing the order/directions in Letter No.APERC/Secy/Dir(Engg)/DD(Tr)/F- PPA/D.No. 2739/2003 dated 15-11-2003 as illegal and contrary to law and to set aside the same and b) declaring that the first respondent is liable to purchase and pay for all the energy delivered from the power project of the petitioner to the first respondent as per the existing Power Purchase Agreement between the first respondent and the Petitioner without any limitation, and c) declaring the action of the first respondent as communicated by the first respondent's letter FA*CCA/A &D/SAO/PP &S/D.No. 651/04 dated 26-6-2004 in deducting the amount for the alleged quantum of excess energy delivered above 100% PLF during each 30 minutes time block for the months from December 2003 of May 2004 and subsequently as arbitrary. unreasonable and contrary to law; d) and / or pass

Counsel for the Petitioner:MR.KATRAGADDA GOPAL CHOUDARY

Counsel for the Respondent No.: SMT.M.VINOBHA DEVI

The Court made the following :

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ORDER:

The learned counsel appearing for the petitioner filed a letter dated 25.10.2004 before the Registry seeking permission of this court to withdraw the petition. Permission accorded.

Accordingly, the Writ Petition is dismissed as withdrawn. No costs.

Ka 26.10.2004.

To

1 Transmission Corporation of Andhra Pradesh Ltd. Vidyut Soudha, Hyderabad,

represented by its Chairman &
Managing Director.
2 Andhra Pradesh Electricity Regulatory Commission, Singareni Bhavan, Red Hills, Hyderabad,
represented by its Chairman

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